

IN THE SENATE OF THE UNITED STATES.

CONFERENCE REPORT ON THE AMENDMENT OF THE HOUSE OF
REPRESENTATIVES TO THE SENATE BILL NO. 569, TO ESTAB-
LISH THE DEPARTMENT OF COMMERCE AND LABOR.

FEBRUARY 10, 1903.—Ordered to be printed.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) "to establish the Department of Commerce and Labor," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

Page 2, line 8, of the amendment, strike out all after the word "Congress" to the end of section 2 and insert in lieu thereof the following: *and the Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the division of book-keeping and warrants and send forthwith a copy of each certificate to the Secretary of Commerce and Labor.*

Page 3, line 15, of the amendment, insert after the word "Establishment" the following: *the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners.*

Page 4, line 3, of the amendment, strike out the word "Commissioners" and insert in lieu thereof the word *Commission.*

Strike out all of section 6 and insert in lieu the following:

Sec. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said Bureau, to be appointed by the President, who shall receive a salary of five thousand dollars per annum. There shall also be in said Bureau a deputy commissioner who shall receive a salary of three thousand five hundred dollars per annum, and who shall in the absence of the Commissioner act as, and perform the duties of, the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be

in the said Bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint stock company, or corporate combination engaged in commerce among the several States and with foreign nations excepting common carriers subject to "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint stock companies, and combinations subject to the provisions hereof, as is conferred on the Interstate Commerce Commission in said "act to regulate commerce" and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said "act to regulate commerce" and by "An act in relation to testimony before the Interstate Commerce Commission," etc., approved February eleventh, eighteen hundred and ninety-three, supplemental to said "act to regulate commerce," shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

It shall also be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law.

Page 6, line 8, of the amendment, after the word "required," insert the words: *by the Secretary of Commerce and Labor.*

Page 7, line 7, of the amendment, after the word "labor," insert the following:

Provided, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section one of the act entitled "An act to regulate immigration," approved August third, eighteen hundred and eighty-two.

Page 8, line 25, of the amendment, after the word "in," insert the words: *or by.*

In lieu of section 10 of the amendment insert the following:

Sec. 10. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, or in

relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor.

All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions, or charges incurred for violating any provision of law relating to vessels or seamen or to informer's shares of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the Secretary of Commerce and Labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the Department of Commerce and Labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed.

Page 10, line 12 of the amendment, strike out the words "or the Interstate Commerce Commission" and insert the following:

from the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior.

Page 11, line 6 of the amendment, after the word "Act," insert the words: *other than those of section twelve.*

And the House agree to the same.

M. A. HANNA,
KNUTE NELSON,
A. S. CLAY,

Managers on the part of the Senate.

W. P. HEPBURN,
JAMES R. MANN,
WILLIAM RICHARDSON,

Managers on the part of the House.